

Before the  
Federal Communications Commission  
Washington, DC 20554

In the Matter of

Closed Captioning of Internet  
Protocol-Delivered Video  
Programming: Implementation of  
the Twenty-First Century  
Communications and Video  
Accessibility Act of 2010

MB Docket No. 11-154

**Unopposed Motion for Extension of Time**

Pursuant to Rule 1.46(b), Telecommunications for the Deaf and Hard of Hearing Inc., (TDI), Association of Late-Deafened Adults (ALDA), Cerebral Palsy and Deaf Organization (CPADO), Deaf Seniors of America (DSA), National Association of the Deaf (NAD), and Rehabilitation Engineering Research Center on Technology for the Deaf and Hard of Hearing, Gallaudet University (DHH-RERC) (collectively, “Requestors”) respectfully submit this motion to extend the public comment and reply comment deadlines regarding Pluto, Inc.’s (“Pluto”) petition for waiver of IP closed captioning requirements (“Pluto’s Petition”) in the above-referenced docket by 90 days.<sup>1</sup> The Public Notice regarding Pluto’s Petition was released on June 27th, with comments due July 26 and reply comments due August 9.<sup>2</sup> Requestors respectfully move to extend the due dates for comments and reply comments in this proceeding by 90 days to October 24 and November 7, respectively.<sup>3</sup> Counsel for Pluto has consulted with Pluto and Pluto consents to this motion.

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<sup>1</sup> Petition for Waiver of Pluto, Inc., MB Docket No. 11-154 (filed May 15, 2019) (Petition), <https://ecfsapi.fcc.gov/file/10515140142576/5-15-19%20Pluto%20Petition%20For%20Waiver%20As%20Filed.pdf>.

<sup>2</sup> *Media Bureau Seeks Comment on Pluto TV’s Petition for Waiver of IP Closed Captioning Requirements*, MB Docket No. 11-154 (rel. June 27, 2019).

<sup>3</sup> Pursuant to Rule 1.46(b), this motion is timely filed at least 7 days before the applicable date.

The current timing of these deadlines—in the middle of summer—makes it harder to gather the information necessary to prepare meaningful comments. Several of the Requestors travel for, host, and attend annual and biannual conferences during the summer. In addition, this is the time when many people take previously scheduled vacations.

Second, we note that TDI's pro bono counsel on the consideration of captioning waiver petitions, the Communications & Technology Clinic of Georgetown Law's Institute for Public Representation ("the clinic"), is a law school clinic that is generally inoperative during the summer months. The requested extension of time will enable the clinic to represent TDI in this matter and file comments and reply on behalf of the Requestors. Without the requested extension—if the current comment and reply comment deadlines remain in place—it is unlikely that TDI or any of the other Requestors will be able to retain counsel in this matter. Thus, the Commission should also grant this extension to ensure that people who are deaf or hard of hearing, the primary beneficiaries of the IP captioning rules under the CVAA, are not denied the ability to weigh in on the critical accessibility issues raised in Pluto's Petition.

Third, the organizations filing this motion face particular challenges in consulting with their members. Unlike the members of D.C.-based associations with which the Commission often deals, members of Commenters' organizations are scattered throughout the country and will not understand the proposals and their impact without briefing materials and explanations that will take time to comprehend and address.

Fourth, Pluto's Petition raises complex questions. Pluto effectively is requesting a waiver of the FCC's captioning rules not just for its own app, but for other platforms as well, such that understanding the implications of the waiver request will require relatively detailed technical analysis. Pluto also appears to be seeking a change in the legal standard applicable to waiver petitions, asking for a

waiver based on the general good cause standard rather than demonstrating the need for such a waiver under the CVAA's economic burden standard.

As noted above, Pluto also does not oppose to requested extension. Accordingly, Requestors respectfully ask that the due dates for comments and reply comments in the above-referenced proceeding be extended by 90 days to October 24 and November 7, respectively.

By:

Respectfully submitted,

/s/ \_\_\_\_\_  
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